

REMARKS

Claims 1-18 are pending in the application.

Claims 1 and 3-9 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Independent claim 1 is amended to clarify that the claimed method is implemented by a computer. Applicant submits that the 101 rejection is overcome and requests withdrawal of the 101 rejection.

Claims 1-9 and 10-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1 and 10 are amended to obviate the 112 rejections. Also, the Office Action states that the relationship between steps b) and c) of claims 1 and 10 is not clear. Applicant submits that the relationship between b) and c) is clear, as the method disclosed in claims 1 and 10 includes matching the identity of the business partner with a data record that includes attributes, and authenticating the business partner based on the attributes associated with the matched data record. Applicant respectfully requests reconsideration and withdrawal of the 112 rejection.

Claims 1-5, 7, 10-14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,659,731 to Gustafson, hereinafter "Gustafson". Claims 1 and 10 are independent. Applicant respectfully traverses this rejection.

Claim 1 provides a computer-implemented method for determining authenticity of a business partner in response to a request of a user. The method includes (a) receiving a request of a user to determine authenticity of a business partner, (b) providing an identity of the business partner, and (c) matching the identity of the business partner to a business data record of a business that is one of a plurality of businesses. The data record is stored in a business database, and the data record includes at least one data attribute. The method further includes (d) processing one or more of the at least one data attribute of the data record with at least one business

according to a set of authentication rules to determine if the business partner is authentic.

Gustafson discloses a matching system that provides a confidence indicator for a match between a given entity and an entity selected from a database (col. 3, lines 22-26). The system matches attributes of a given entity with the attributes of entities stored within the database in order to indicate the identity of closely matching entities, and provides numerical scores for each attribute that indicate the quality or accuracy of the match for each of the attributes (col. 3, lines 45-50). A grade is assigned to each score of a plurality of the attributes, with the grade being selected from a small number of possible grades, such as a clear match, a clear mismatch, and a possible match (col. 3, lines 50-55). The method then produces a match indicator, or confidence code, that reflects the overall quality of the match for the particular entity (col. 3, lines 57-60). The confidence factor represents the probability of a proper match for each identified entity (col. 5, lines 5-6).

Gustafson discloses a system that provides an indicator, or confidence code, indicating the probability that a given entity is a proper **match** for an entity selected from a database. However, Gustafson **does not** disclose **authenticating** a business partner having an identity that has been matched with a business data record of the business partner, as provided in claim 1. The Office Action equates a perfect match with an authentic business partner. However, matching as disclosed in Gustafson merely describes verifying the identity of a business entity. The step of authenticating, as provided in claim 1, is a separate step for evaluating a business partner, distinct from merely verifying an identity. For example, authenticating a business partner may include determining whether a business entity is a viable business partner (specification, page 6, line 12). Gustafson does not disclose or suggest determining the viability or authenticity of a business entity, but rather simply discloses properly identifying a record of a business in a database.

Therefore, Gustafson does not disclose or suggest "processing one or more of

said at least one data attribute of said data record with at least one business according to a set of authentication rules to determine if said business partner is authentic," as recited in claim 1.

Thus, Gustafson fails to disclose or suggest the elements of claim 1. Therefore, claim 1 is patentable over Gustafson.

Claim 10 recites features similar to those recited in claim 1. For at least reasoning similar to that provided in support of the patentability of claim 1, claim 10 is patentable over Gustafson.

Claims 2-5 and 7 depend from claim 1. Claims 11-14 and 16 depend from claim 10. For at least reasoning similar to that provided in support of the patentability of claims 1 and 10, claims 2-5, 7, 11-14 and 16 are patentable over Gustafson.

For the reasons set forth above, the rejection of claims 1-5, 7, 10-14 and 16 under 35 U.S.C. 102(b) as anticipated by Gustafson is overcome. Applicant respectfully requests that the rejection of claims 1-5, 7, 10-14 and 16 be reconsidered and withdrawn.

Claims 6, 8, 9, 15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gustafson in view of U.S. Patent Application No. 2003/0208684 to Camacho et al., hereinafter "Camacho". Applicant respectfully traverses this rejection.

As discussed above, Gustafson does not disclose or suggest "processing one or more of said at least one data attribute of said data record with at least one business according to a set of authentication rules to determine if said business partner is authentic," as recited in claim 1.

Camacho discloses a method and apparatus for authenticating transactions conducted by an individual or agent by comparing biometric data and/or profiles to

known templates (par. 0014). A dynamic profile is created and/or updated for each consumer/merchant using the invention, by means of adaptive learning techniques (par. 0015). Profiles are created using transaction data vectors such as purchase patterns, method of payment, location of purchases and purchaser, and various other elements. System rules dictate conditions which must be met such as time of day, day of week, login location, or other established criteria, in order to authenticate/grant access to services (par. 0015).

Camacho discloses authenticating transactions to determine proper identification of the individual conducting the transaction. Thus, Camacho simply describes **identifying** an individual or entity, but does not disclose or suggest **authenticating** a business entity as recited in claim 1.

Therefore, Camacho does not disclose or suggest "processing one or more of said at least one data attribute of said data record with at least one business according to a set of authentication rules to determine if said business partner is authentic," as recited in claim 1.

Thus, Gustafson and Camacho, whether considered alone or in combination, do not disclose or suggest the elements of claim 1. Therefore, claim 1 is patentable over the cited combination of Gustafson and Camacho.

Claim 10 recites features similar to those recited in claim 1. For at least reasoning similar to that provided in support of the patentability of claim 1, claim 10 is patentable over the cited combination of Gustafson and Camacho.


Claims 6, 8 and 9 depend from claim 1. Claims 15, 17 and 18 depend from claim 10. For at least reasoning similar to that provided in support of the patentability of claims 1 and 10, claims 6, 8, 9, 15, 17 and 18 are patentable over the cited combination of Gustafson and Camacho.

For the reasons set forth above, the rejection of claims 6, 8, 9, 15, 17 and 18 under 35 U.S.C. 103(a) as being unpatentable over Gustafson in view of Camacho is overcome. Applicant respectfully requests that the rejection of claims 6, 8, 9, 15, 17 and 18 be reconsidered and withdrawn.

An indication of the allowability of all pending claims by issuance of a Notice of Allowability is earnestly solicited.

Respectfully submitted,

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